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ABSTRACT

In May 1993, representatives of anti-censorship feminists convened at the Graduate Center of the City University of New York to overturn the myths that censorship is good for women, that women want censorship, and that those who support censorship speak for women. Participants at the convention discussed four major themes: the current panic over sexual perversion, the anti-pornography movement among certain feminists, the need for free speech in matters regarding sex, and the struggle for free speech. Lisa Duggan, historian, journalist, and Brown University professor, discussed the history of moral reform movements from temperance to anti-pornography and explains how they have not promoted the interests of women. Speakers denounced the legal theories developed by Catharine MacKinnon and Andrea Dworkin that excuse censorship and treat the First Amendment as irrelevant. The anti-censorship feminists argued that the banning of pornography amounts to the control of women's images and the suppression of women's search for their own sexuality. (JD)

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THE SEX PANIC:

Women, Censorship and "Pornography"

A conference report

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National Coalition Against Censorship

NCAC National Coalition Against Censorship
275 7th Avenue
New York, New York 10001

Working Group on Women, Censorship and "Pornography"

education and advocacy against censorship

Members of the Working Group have varied experiences, interests and views regarding sexuality, its representation and what they individually may refer to as erotica or pornography. All are united in the belief that censorship is harmful to women.

Kate Baggott
Dennis Barrie
Nancy Bereano
Lauren Berlant
Sara Blackburn
Judy Blume
Arlene Carmen
Isolde Chapin
Miriam Colon
Karen DeCrow
Donna Demac
Marilyn Fitterman
Lesley Lee Francis
Arvonne Fraser
Beth Freeman
Nancy Friday
Betty Friedan
Judith Kegan Gardiner
Kathy Garmezy
Henry Louis Gates
Jewelle Gomez
Debra Haffner
Eleanor Heartney
Holly Hughes
Susan Isaacs
Molly Ivins
Erica Jong
Wendy Kaminer
Barbara Kerr
Nancy Langer
Sylvia Law
Ann Lewis
Bobby Lilly
Phyllis Lyon
Del Martin
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Peggy Northrop
Norman Pearlstine
Kathleen Peratis
Gloria Pipkin
Sandy Rapp
Nanette Roberts
Laurie Rockett
Maggi Rubenstein
Joy Silverman
Muriel Morisey Spence
Sally Steenland
Catharine Stimpson
Nadine Strossen
Nadine Taub
Carol Tavris
Leonore Tiefer
Sallie Tisdale
Judith Walkowitz
Faye Wattleton
Ellen Willis
Diane Zimmerman

Today, as in the past, the next best thing to control of women, or of sexuality, may be to control images.

-- Jo Levinson, co-chair,
National Coalition Against Censorship

THE SEX PANIC:

WOMEN, CENSORSHIP AND "PORNOGRAPHY"

A Conference of the Working Group on Women, Censorship and "Pornography"

Co-sponsored by
The Women's Center of the Graduate Center of the City University of New York
and
The Vera List Center of the New School for Social Research

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THE SEX PANIC:

WOMEN, CENSORSHIP AND "PORNOGRAPHY"

Where are the feminists who oppose censorship? The women -- artists, writers, therapists, lawyers, educators, sex industry workers, and activists -- who believe censorship of sexually related expression is dangerous to women? Where are the historically informed, legally sophisticated, and politically impassioned voices linking women's freedom and sexual free speech?

Their voices were heard at *THE SEX PANIC*, a Conference on Women, Censorship, and "Pornography," May 7-8, 1993. There, through one of the Spring's most glorious weekends, over 170 representatives of a growing movement of anti-censorship feminists sat, rapt, in the auditorium of the Graduate Center of the City University of New York. They were informed, entertained, and

provoked to find creative *feminist* ways of thinking about and acting against censorship.

"We can't allow these myths to continue," said National Coalition Against Censorship executive director Leanne Katz, "-- the myths that censorship is good for women, that women want censorship, and that those who support censorship speak for women. That's why NCAC's Working Group formed," she said, "and why this conference was organized."

In a day and a half of invigorating talk, four major themes emerged:

(1) Sex panics -- when "license" and "perversion" are found hiding under every bedcover, and religious and political vice squads mobilize to wipe them out -- are not new. Nor are unholy alliances between women's advocates and morality cops. And none of this has ever been good for women.

(2) The contemporary anti-pornography

movement among certain feminists is growing more sophisticated, theoretically and tactically. Its goal to "protect" women, at the cost of making them less free, is gaining adherents in many quarters.

(3) Contrary to the terror-mongers' claims, widely available and varied sexual speech and imagery are good for women. They're even often good for kids.

(4) We're fighting back -- for free speech and freer women.

(1) SEX PANICS ARE NOT NEW -- AND THEY'RE NEVER GOOD FOR WOMEN.

While feminists have been divided over current "sex wars," feminist historians have almost without exception been opposed to censorship of pornography. "Why?," asked Lisa Duggan, historian, journalist, and Brown University professor. "Because they'd seen it before," in late-19th- and early-20th-century protectionist women's move-

ments. Then, as now, energy was diverted from serious problems of women by focusing on a quick fix. The temperance movement turned women's anger against domestic violence to a campaign to ban alcohol. Rape and abuse went on unabated.

In the social purity movement of that era, women concerned with the economic and sexual vulnerability of young urban women joined forces with conservatives "whose aim was to enforce morality and not to protect women." The result: laws suppressing prostitution, which operated to penalize prostitutes, making many women's lives harder and more dangerous. Feminist historians are not surprised when, similarly, the restrictive measures of anti-pornography proponents Catharine MacKinnon and Andrea Dworkin are pushed by Christian fundamentalists and others on the right, whose agendas are explicitly anti-feminist and anti-gay.

Canada's Supreme Court, in its 1992 Butler decision, applied MacKinnonesque language to old definitions of obscenity. Holding that a group of videos were "degrading" and "harmful" to women, the court set equality principles in opposition to free speech and said equality considerations overrode the Canadian Charter's free speech guarantees. In the decision, the claim that pornography "harms" women was unsupported.

Although the decision was hailed as a great victory for feminist anti-porn forces, "the Butler decision belongs to the Right," said Thelma McCormack, professor of sociology at York University in Ontario and director of the Centre for Feminist Research.

"The Supreme Court of Canada doesn't give a damn about gender equality," she continued. "It is concerned about control and was pleased to have a feminist gloss put on it." Not surprisingly, "the fallout [from Butler] has been harassment of

gay and lesbian bookstores," including the seizure of *Bad Attitude*, a lesbian-feminist magazine of sexually explicit expression.

(2) OUR OPPONENTS WANT TO PROTECT, NOT LIBERATE, WOMEN -- AND SURPRISE! THIS IS A WILDLY POPULAR IDEA.

To Wendy Kaminer, author of *A Fearful Freedom: Women's Flight From Equality*, MacKinnon's is not a legal theory: "Her great contribution to the pornography debate was to declare the First Amendment irrelevant." Rather, said Kaminer, MacKinnon's is "a very traditional theory of gender difference [which argues that] pornography is not speech, because men are beasts. When confronted with misogynist literature, they are seized with the irresistible impulse to act it out. It is not simply that pornography is bad, it is the combination of pornography and men that's bad, because men are bad." So women need protection

from men, at any cost.

Kaminer said, however, that it is important to recognize the appeal of MacKinnon's approach. "It feels like fighting back, not asking for protection," Kaminer said. In reality, instead of dealing with urgent issues such as rape and domestic violence, we see "a growing belief in women's fragility . . . . As a writer," Kaminer said further, "I like to think words have power but I know they don't cast spells."

Speaking from the floor, Lance Lindblom, president of the J. Roderick MacArthur Foundation, disagreed that MacKinnon's theory has no jurisprudential force. "They are weighing equality against free speech," he said, "and there are bases [for this argument] in international human rights law . . . . Dangerous new alliances are forming around it."

Carole Vance, whose analysis encompasses both speech and sex, sees conservative anti-vice groups and anti-porn feminists as neither impossibly strange bedfellows nor birds of a feather inevitably flocking together.

Reviewing the events of 1982-1992, Vance, an anthropologist, co-founder of FACT (the Feminist Anti-Censorship Taskforce), and major feminist theorist on sexuality and politics, analyzed how "pornography moved from inside feminism -- where it was only one strand in a . . . multi-layered discourse about sexuality -- into mainstream politics, to be used by conservative groups as a major weapon to overturn feminist gains." Conservatives' cooptation of anti-porn feminism, beginning with the Meese Commission on Pornography, was certainly "implausible," given their hostility to everything feminism stands for. It was "brilliantly executed," and abetted by anti-porn women's willingness at those hearings "to understate and fre-

quently [to avoid] mentioning their support for those cranky feminist demands so offensive to conservative ears."

Then, and afterward, " 'degrading' [became] a true crossover term," said Vance. It was used by feminists to mean suggestive of a servile female sexual role and by vice-squad types to mean sexual and "immoral," increasingly conflated into one.

The Meese Commission appropriated women-against-pornography's language and methods to modernize its anti-obscenity agenda. This "new" rhetoric was then used by conservative forces in the attacks against the National Endowment for the Arts, and in 1992, in support of the Pornography Victims Compensation Bill, which scapegoated pornography for real violence against women. MacKinnon *et al* have kept a "cosmetic distance" from these efforts.

Vance applauded the scholars, sex workers, artists, AIDS activists and educators pursuing an

ever-more-robust discourse on sexuality -- one that eschews prescription, respects difference and complexity, seeks ways to combat danger and celebrates pleasure.

(3) SEXUALLY RELATED IMAGERY AND SPEECH CAN BE GOOD FOR EVERYBODY -- FOR WOMEN, FOR MEN, EVEN SOMETIMES FOR KIDS.

"Women are more in danger from the repression of sexually explicit materials than from their free expression," said Leonore Tiefer, psychologist, sex therapist and President of the International Academy of Sex Research. Tiefer stated that "freely available information, ideas and images" are crucial if women's ignorance and shame are to be lessened and new attitudes and behavior substituted. "Pornography is, if anything, sexually transgressive materials," and . . . "what's needed is more transgressive opportunity, not less."

"Pornography is about fantasy," said Tiefer. If it is suppressed, "women will never get a chance to learn things about themselves that they can only learn from understanding their imaginations." Taking porn literally -- as the anti-porn feminists do -- does not serve this end. "Suppressing pornography will harm women struggling to develop their own sexualities because history teaches us that *any* crackdown on sexuality always falls the hardest on the experimental and on women . . . ." For example, more information is needed to encourage safer sex practices that will prevent HIV transmission, and women in sex industry work are harmed from pressures for suppression, since it further marginalizes and stigmatizes their work.

Tiefer said that legal restrictions on explicit sexual expression will "force erotic experimentation in art, video, books and performances underground, which will deprive most women of access to unconventional inputs to their erotic imagina-

tion. . . . Now is the time for more sexual experimentation, not shame-soaked restraint."

Tiefer reminded the audience that pornography is not just about representation. It is about masturbation, which the Right finds extremely threatening. If our society is going to place enormous weight on sex as a central factor of identity -- a view Tiefer doesn't necessarily endorse -- then, she says, "we have got to teach masturbation, because it is the route to self-learning of how the body works . . . and a freeing-up of fantasy." Yet "there's no training, no coaching, no emphasis on talent" -- a problem, she said. "But if you want to play Rachmaninoff, you have got to practice the piano!"

Feminist artist Connie Samaras demonstrated the non-literalness in the way we view erotic images by showing slides of photographs by five artists whose work concerns the body and

sexuality, including gay and S&M sex and childhood sexuality. Because there is little discussion and little understanding on the anti-censorship side, Samaras said, the discourse over marginalized sexual practices "is literally handed over to the Right." On childhood sexuality, we are all but mute. If an artwork even suggests kids are sexual, the artist risks ridicule, professional exile, and even criminal charges.

Young people are greatly hurt by the suppression of sexual speech, said Debra Haffner, executive director of SIECUS (the Sex, Information, and Educational Council of the U.S.), describing the new right-wing anti-sex curricula SIECUS calls "fear-based" education. The "bottom line of these programs is to scare kids into abstinence" -- with threats that premarital sex causes everything from the blues to death -- and to withhold information about abortion, contraception, masturbation, and sexual feelings, including

homosexuality. Among the lessons taught kids are that "boys are always turned on," and girls are asexual. Anatomical diagrams given students often omit the clitoris.

If the audience needed more proof that "pornography" is in the eyes of the beholder, or that open speech about sex is valuable and necessary, children's book author Judy Blume gave it to them in the words of the youngest beneficiaries of straight talk, who are also among the worst victims of its suppression. In a moving and witty talk, "Is Puberty A Dirty Word?," Blume recounted the deluge of attacks on her books by those who think kids shouldn't read about menstruation, masturbation, sexual excitement, alienation, confusion, or anger, or see words like "asshole."

Censorship hurts authors, said Blume, one of America's most censored, but it hurts kids more. "Dear Judy," wrote a 13-year-old. "My

mom never talks about the things young girls think most about. She doesn't know how I feel. I don't know where I stand in the world. I don't know who I am. That's why I read -- to find myself." Another asked for the "facts of life, in number order."

Blume is amused. But she is also "disheartened" and angry. "We have the language police, we have the sex police. We have the adults so worried about everything, they have no time to worry about the kids."

And some kids who write Blume need worrying about, badly. Blume gets many letters about incest, like this one: "I felt like I didn't deserve anything good to happen to me, ever. I didn't eat much. I would only talk if I had to. I wished myself dead . . . I bite myself, scratch myself, make myself sick, wishing someone, primarily teachers, would ask me if something was wrong . . . but no one came to me." Blume and her staff

answer all letters and assist kids like this one in finding help.

Blume, who's been writing for about 25 years, said that if she were starting out today, "I might find it impossible to write honestly about kids in this climate of fear." In fact, she confessed to having censored herself when an editor suggested, "Take this passage out, and we'll get the book club sales." Said Blume, with a tear: "I've regretted it."

Today she refuses to self-censor. She pressures her publishers to stand up against censorship, and speaks frequently in public.

"By not having courage, I lost my chance," a girl who could tell no one about incest against her lamented to Blume. Added the author, on censorship: "By not having courage, we all lose our chances."

(4) WE'RE FIGHTING FOR FREEDOM.

Fortunately, many do have courage.

Artist-curator Carol Jacobsen fought back when Catharine MacKinnon's theories were put into practice. MacKinnon's student foot soldiers at the University of Michigan Law School banned the art exhibition they'd invited Jacobsen to mount at their conference on prostitution this year.

Jacobsen's exhibit, *Porn Imagery: Picturing Prostitutes*, a show that included sex workers' first-person views, features seven artists including Jacobsen, and "represents a strong feminist statement in favor of decriminalization and destigmatization of prostitution." Wary about contributing to what she suspected would be an anti-prostitute and anti-porn pep rally, Jacobsen was nonetheless eager "to counter MacKinnon's archetypal construct of the prostitute as a repentant, victimized . . . woman in need of saving."

But once on exhibit the show quickly received the censors' stamp. Only male anti-porn activist John Stoltenberg ever saw the work he judged "pornographic," but the show was called "threatening," and the law students, after meeting with MacKinnon and Dworkin, insisted that it be dismantled.

Jacobsen, a long-time feminist fighter against censorship, was appalled that this breach of free speech could be allowed to happen at a university, let alone at a law school. She was unwilling to go quietly: "They really fucked with the wrong woman." With help and publicity from the ACLU, the National Coalition Against Censorship, the National Campaign for Freedom of Expression, and FACT she fought back. A law suit against the University of Michigan Law School brought a settlement, including a modest money award to the artists, an agreement that the exhibit will be remounted in the next school year

(MacKinnon's students have vowed to protest it), and a program organized on feminism, art and censorship. "MacKinnon's abuse of power is stunningly hypocritical," said Jacobsen, "given her position that there ought to be a law against abuses of power."

When Gloria Pipkin, an English teacher in Panama City, Florida, decided to fight to keep a wide array of literature in the classroom, she faced a deeply conservative community, a fierce group of Christian fundamentalists including a school superintendent who believed "schools are no place for any sort of controversy" and legal precedent giving school boards broad censorship powers. Warmly acknowledging NCAC's support, Pipkin reported on the dramatic and intense struggle in which she and her comrades engaged, even facing death threats. After five years, a lawsuit in federal district court was settled, without stunning victory.

Although the books (including *I Am The Cheese*, *The Red Badge of Courage*, and *Hamlet*) were restored to the schools, policies for adding new books are so constraining that teachers "either choose the blandest books possible, chicken out . . . or decide to ignore the policy and live in fear."

Pipkin is still fighting. "One thing I've learned is that democratic schooling and freedom of expression are not a gift of the gods. It's a battle that's won on a daily basis."

What motivates the censors? "Fear," said columnist and best-selling author Molly Ivins. In consummate Texas style she told the tale of two boys so spooked by a chicken snake in the henhouse that they lit out simultaneously, "doing considerable damage to themselves and the henhouse door." One of the boys, reminded by his friend's Ma that "You know damn well a chicken snake can't hurt you," responded, "Yes, Ma'am, but

some things can scare you so much that you'll hurt yourself."

"In this country," Ivins said, "we get so scared of something terrible -- of communists or illegal aliens or pornography or crime -- that we decide the only way to protect ourselves is to cut back on our freedom . . . . Well now, isn't that the funniest idea -- that if we were less free we could be safer?"

Taking the position that one can be against porn and against censorship at the same time, Ivins said, "We've all read the studies [of pornography and sexual aggression] saying yes it does, no it doesn't, yes it does, no it doesn't. You could just shit or go blind trying to figure that one out." She said "common goddam sense" tells her "there probably is some truth to the theory that all those ugly pictures do encourage violence against women.[1]

[1] Thelma McCormack implicitly challenged this view. In a presentation on the diverse research on pornography, she described and commented on historical studies, studies of sex offenders, laboratory studies, etc., and the wide variety of analyses and theories of human behavior on which they are based. McCormack characterized laboratory studies on the effects of exposure to pornography as relying on fixed meaning and a narrow and ultra-conservative theory of human nature. Those studies, McCormack said, failed to take into account the effects of common sense, conscience or values.

"So what should we do about it?" Ivins asked. "Well, my answer is: not a goddamn thing. Except, of course, speak out. The cure for every excess of freedom of speech is more freedom of speech."

There were plenty of other proposals during the weekend. Performance artist Penny Arcade exhorted the assembled to march to *The New York Times* and demand they cover the conference. Poet and activist Kate Ellis explored applying the principle of Tai Chi, which turns the opponents' own force against them.

And Ann Lewis, political consultant and commentator, was concise and concrete:

1. "Join in the debate. Women identified as feminists must speak out about why censorship is a bad idea."

2. "Carry the debate to the state and local level," where grassroots right-wing movements are

gaining strength.

3. Develop a message that is inclusive, concrete, and feminist-based. For instance: "I do not believe we should allow government agencies to tell women or men how we should think or write about our lives, including our sex lives. I don't think those kinds of laws are good for anybody, and I know they're bad for women."

4. Be determined to take action.

And the participants *were* determined. Though not in possession of incontrovertible Truth, as our opponents believe themselves to be, the audience had solid information, respect for difference, and optimism.

Said Carole Vance: It is up to us to make a "space where no woman is forced to choose between pleasure or safety."

"In spite of all the gloom on our side of the

street," Thelma McCormack said, "we have an opportunity to redefine what we mean by freedom of expression and civil liberties in a feminist context. The feminist concept of equality is transformative, and one cannot separate equality from freedom."

See Spring 1994 symposium issue of the *New York Law School Law Review* for the texts of conference presentations and additional feminist perspectives on why censorship is harmful to women.

The Working Group on
Women, Censorship and "Pornography"
is a project of
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275 Seventh Avenue, New York NY 10001

NCAC Participating Organizations

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American Association of School Administrators
American Association of University Professors
American Association of University Women
American Civil Liberties Union
American Ethical Union
American Federation of Teachers
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American Film & Video Association
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The National Coalition Against Censorship (NCAC) is an alliance of national non-commercial organizations, including religious, educational, professional, artistic, labor and civil rights groups. United by a conviction that freedom of thought, inquiry, and expression must be defended, they work to educate their own members about the dangers of censorship and how to oppose it. The Coalition strives to create a climate of opinion hospitable to First Amendment freedoms in the broader community.

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